

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,)	CRIMINAL NO. 3:12-430-CMC
)	
v.)	OPINION and ORDER
)	
Carlos Hernandez,)	
)	
Defendant.)	
_____)	

This matter is before the court on Defendant's Appeal From Detention Order entered June 15, 2012, by Magistrate Judge Shiva V. Hodges. The court has conducted a *de novo* review of the Detention Order, the Pretrial Services report, the transcript of the detention hearing of June 13, 2012, and the arguments raised in Defendant's appeal.

The court concludes that there is probable cause to believe that Defendant has committed an offense for which a maximum prison term of ten (10) years or more is prescribed in 21 U.S.C. § 841; that Defendant failed to rebut the presumption that no condition or combination of conditions will reasonably assure Defendant's appearance and the safety of the community; that Defendant, if convicted, faces a potential sentence of mandatory life without parole to not less than twenty (20) years without parole; that Defendant has a criminal history involving escape, fleeing from law enforcement and failure to stop for a blue light, several arrests for failure to appear and prior drug convictions; that Defendant is not a citizen of this country but is a permanent resident alien; and that there is corroboration that Defendant was involved in supplying drugs to co-conspirators in this case.

Accordingly, Magistrate Judge Hodges' Detention Order Pending Trial is **affirmed**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
August 2, 2012